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Introduction

With this issue we continue "The Basic Tenets of Real Liberalism." In the previous issue we discussed the liberal idea of individualism, basing our argument on the right of each individual to own and control his or her own body. In Part II, "Toleration and Autonomy," we extend the idea further by applying it to the problem of tolerance and individual moral autonomy.

For centuries, various minorities have been viciously persecuted because of their religious or political views. Not until the Reformation of the sixteenth century did theories emerge that defended the individual's right to the uncoerced practice of his or her religious and social beliefs. Liberals quickly recognized that this right is an extension of the more basic and general right of individuals to own property in themselves, as well as in books, churches, and other physical objects. It also became obvious that the moral autonomy of the individual depended upon the opportunity to choose among alternatives without being coerced. Without uncoerced choice there can be no morality. The tradition of tolerance for diverse ideas and respect for the property rights of those who peacefully act upon their religious and political ideas began during the sixteenth century. It has continued to be a central part of the classical liberal tradition.

In the *Crosscurrents* section we have given more than the usual amount of space to a series of short reviews on the sociology and history of the state. It is extremely important for libertarians to have a detailed historical and theoretical understanding of that institution which controls so much of our lives. The titles we have selected should serve as a useful beginning for a serious study of this complex institution.

The Basic Tenets of Real Liberalism

by Walter E. Grinder and David M. Hart

Part II: Tolerance and Moral Autonomy

Recommended Reading

Lysander Spooner, *Vices Are Not Crimes: A Vindication of Moral Liberty* (Cupertino: Tanstaafl, 1977).

Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), part 3.

Albert Jay Nock, "On Doing the Right Thing," in *Our Enemy the State* (New York: Free Life Editions, 1973).

Robert Paul Wolff, *In Defence of Anarchism* (New York: Harper and Row, 1976).

Tolerance of differences in thought and beliefs, as well as diversity of lifestyles, goes hand-in-hand with the real liberal position on individuality and privacy. It does not mean that one must necessarily accept, approve, or condone the beliefs and actions of others, but only that one refrain from initiating the use of force against them. To call for toleration of only that which one already approves of is hypocritical. Hence, one must also allow those beliefs of which one strongly disapproves, if the meaning of toleration is to have some sensible content. In addition, if one is to be consistent, one is required to extend the concept of toleration from thoughts and beliefs (the most intimate and private activity of human life) to toleration of action that is in accordance with those beliefs (especially peaceful economic activity).

Tolerance of beliefs without tolerance of action is rightly seen to be a sham of the highest order. However, the so-called "tolerance" of the actual invasion of anyone's rights would indeed be an abdication of one's liberal principles. Thus one requires a method by which rights-violating behavior can be distinguished from unpleasant, obnoxious, or irrational, but uncoercive behavior.

The means to make this distinction has been provided by the liberal tradition. It has been best expressed by the great nineteenth century English liberal, Herbert Spencer. His *law of equal freedom* states that "every man [and woman, ed.] has freedom to do all that he wills, provided he infringes not the equal freedom of any other man" (*Social Statics* (New York: Robert Schalkenbach Foundation, 1970), p. 95). If Spencer's equal liberty doctrine is universally applied, it provides a powerful method of distinguishing criminal activity from morally permissible, but perhaps offensive, activity. If a person's beliefs lead to actions which violate the person or property rights of others, then and only then can that person be forcibly restrained and compelled to pay restitution.

However, it is important to bear in mind the vital distinction between the rights-violating action and the beliefs themselves. In the strict sense, rights-violating action is a crime that can be subject to legal action—"natural crimes," to use the felicitous expression of Patrick Edward Dove, *The Theory of Human Progression and Natural Probability of a Reign of Justice*

(Boston: Benjamin B. Mussey, 1851). The rule is, so long as person and property rights are not violated by actions, there should be no valid legal reasons for using force against anyone. Even if a person's beliefs condone or suggest natural crime, the rule forbids using force against him, until he steps from belief to action.

This distinction between the violent invasion of one's property, and behavior that may transgress custom or even natural law, but does not violate anyone else's property rights, was brilliantly perceived by the American individualist anarchist, Lysander Spooner, in his 1875 pamphlet, *Vices Are Not Crimes: A Vindication of Moral Liberty* (Cupertino, California: Tanstaafl, 1977). The distinction noted by Spooner is a fundamental aspect of liberal political, social, and legal philosophy. It leads to the conclusion that all violations of property rights must be declared illegal, but vice (to use Spooner's term), whilst perhaps immoral in some broader sense, must be allowed to flourish, and even be given the full protection of the law. Crime, in this view, exists only where there is an individual victim of some act of force or fraud (which can be defined as implicit force).

In many cases, the obnoxious behavior of others may have beneficial economic consequences. However, it is certainly not "heroic," as Walter Block has argued in *Defending the Undefendable: The Pimp, Prostitute, Scab, Slumlord, Libeler, Moneylender, And Other Scapegoats in the Rogues Gallery of American Society* (New York: Fleet Press Corporation, 1976). A word of caution about Block's book: it is a hardhitting and extreme defense of all voluntary interactions from both a moral and economic perspective. Most of the chapters are valid and cleverly done, but it is not to be recommended as an introduction to libertarian theory (especially for the tender-hearted) or as a guide to polite company and good manners. A far better (and more civilized) introduction to the problem of victimless crimes is Spooner's above-mentioned *Vices Are Not Crimes*. Spooner, at least, does not claim that the practitioners of vice are heroes.

Another utilitarian argument, besides Block's economic one, for respecting the different beliefs and lifestyles of others is the argument concerning the greater diversity and richness of life that such activity brings into being. Because of the limitations on our knowledge of future events (see F. A. Hayek's *The Use of Knowledge in Society* (Menlo Park: Institute for Humane Studies, 1977) Studies in Economics no. 3) it is sometimes difficult to determine the ultimate consequences of a different way of life unless someone experiments with it. It may well be that this way of life has unexpected beneficial consequences that no one could have foreseen. This discovery may contribute immeasurably to the richness and diversity of our culture and increase, both for our children's and our own benefit, the stock of experiences we can use and learn from.

The most brilliant presentation of the possible beneficial results of allowing competing "Utopias," operating within the framework of a libertarian legal code, is Robert Nozick's *Anarchy, State, and Utopia* (New York: Basic Books, 1974), Part III, "Utopia." Anthony Sampson, in his chapter on "Liberalism and Creativity," in *Liberty and Language* (Oxford University Press, 1979), pp. 37–89, makes the very important point that diversity of lifestyles and the freedom to practice them result in a considerable increase in cultural, scientific, and technological creativity. The result of this increase in creativity, nearly always unexpected and unpredicted, is a richer and more productive life than we would have had in its absence. Although extremely utilitarian in his defense of toleration, Samuel Brittan, in his *Capitalism and the Permissive Society* (London: Macmillan, 1973), perceptively and sensitively shows that only under a regime of private property and free exchange can diverse lifestyles and opinions exist and be protected under the law.

Each society has structures for carrying on conflict with other societies and structures for carrying on sustenation . . . the militant type, characterized by the [former], is framed on the principle of compulsory co-operation, while the industrial type, characterized by predominance of the [latter], is framed on the principle of voluntary co-operation . . .* —Herbert Spencer, *Principles of Sociology

But beyond this strict legal definition of tolerance and respect for rights lies another related dimension. Tolerance does not just mean that one respects the peaceful and voluntary activity of one's fellow human beings solely by recognizing the law of equal liberty. This deeper meaning involves the traditional liberal regard for civility and manners (i.e. the art of getting along with one's fellows in a social context). One expects to be treated by others as a rational and law-abiding individual and to be accorded the respect and dignity due such a person. Reciprocally, one should also grant these same niceties to others for the simple reason that, like you, they are individuals with similar feelings and rights, and have an equal desire to seek fulfillment, however they perceive it. Thus, one should be liberal and open-minded about all noncoercive human activity.

There are sound natural law and utilitarian reasons for tolerating the apparently abhorent or annoying, but peaceful, activities of others. Because of the uniqueness of every individual and the very different ends which individuals choose to pursue, it is often the case that what appears to be "immoral" or obnoxious is just the result of that person's efforts to be true to his or her self. It is impossible for an outsider to say whether this course of action will indeed lead to the fulfillment of that person's potential. One may have strong doubts that this will happen and the desire to "save that person from themselves" may be well-intentioned and charitable. However, for moral and physical reasons one ultimately cannot live the life of another, and so one must respect that person's natural right to seek self-fulfillment in his own way.

These utilitarian arguments for toleration are all very well, but the basic defense of toleration must ultimately lie with the natural right of each and every individual to live a life unmolested by others; free to seek personal fulfillment in whatever manner seems appropriate, as long as he or she does not initiate the use of force or fraud against any other individual.

There is a second moral argument in defense of toleration, which goes to the heart of what it means to be a morally autonomous human being. One can argue that vice must not be made illegal, because vices are mistakes, whether witting or unwitting, with regard to natural law and the correct course of action which men and women should take in any given situation. One can learn the correct behavior only if one is allowed to make mistakes, and to learn from those mistakes. Spooner, in *Vices Are Not Crimes*, p. 32, is quite explicit about the importance of making mistakes, suffering the consequences and thereby gaining *wisdom*. This attitude is also a key insight in the thought of the Spencerians, such as William Graham Sumner (1840–1910). See "On the Case of a Certain Man Who is Never Thought of" in *What Social Classes Owe to Each Other* (Caldwell, Idaho: Caxton, 1961).

And if these questions, which no one can really and truly determine for anybody but himself, are not to be left free and open for experiment by all, each person is deprived of the highest of all his rights as a human being, to wit: his right to inquire, investigate, reason, try experiments, judge, and ascertain for himself, what is, to him, virtue, and what is, to him, vice . . .* —Lysander Spooner, *Vices are Not Crimes

In the delightful essay, "On Doing the Right Thing," (an essay appended to *Our Enemy the State* (New York: Free Life Editions, 1973 originally published in 1928.) ed. Walter E. Grinder), the great stylist Albert J. Nock argued that the moral development of the individual is stunted each time the State extends its activity into new areas, because the area available for the unhindered and free exercise of the human moral faculties is thus reduced. In fact, in moral philosophy there is a fundamental assumption that individuals are responsible for their actions. It makes no sense to say that an individual should or should not do something on moral grounds—i.e., place a bet on a football game—if that individual cannot freely choose between courses of action—i.e., if betting is illegal. There literally can be no such thing as morality unless one has the freedom to choose between alternatives, without external sources of coercion.

This notion of autonomy and toleration is a basic tenet of the classical liberal tradition and the linchpin of liberal moral and social philosophy. The great classical tradition of respect for the individual was revived by the thirteenth-century medieval philosopher Saint Thomas Aquinas, who argued that each individual must examine his or her own actions in the light of his or her own knowledge and his or her own conscience. (Walter Ullman, *The Individual and Society in the Middle Ages* (Baltimore: Johns Hopkins Press, 1966).)

This classical revival began a tradition of philosophic and religious self-examination, which finally led religious thinkers during the Reformation to begin demanding autonomy for the individual in religious matters. Unfortunately, it was only as a result of the physical exhaustion and horror at the atrocities of torture, imprisonment, and religious warfare in the name of salvation that many philosophers and theologians were led to demand an end to religious persecution and to call for recognizing the right of the individual to be left alone. However, many Protestant theologians, such as Luther and Calvin, presented excellent justifications for the autonomy of *only* their own particular sect in the battle against the coercive monopoly of the Roman Catholic Church. Both Lutherans and the Calvinists were more than willing to persecute others when they were able to achieve some political independence from Rome.

The most persecuted sect of the Reformation, the Anabaptists (literally those baptised again), produced some of the best tracts calling for religious toleration and the fundamental right of the individual to pursue religious and political activities in peace. On Anabaptist ideas on peace and toleration, see G.H. Williams, *The Radical Reformation* (Philadelphia: Westminster Press, 1962) and Peter Brock, *Pacificism in Europe to 1914* (Princeton University Press, 1972). On the question of religious toleration in general during the Reformation the following books are recommended: Joseph Lecler, S.J., *Toleration and the Reformation*, 2 vols., trans. T.L. Westow (London: Longman, 1960); *Persecution and Liberty: Essays in Honor of George Lincoln Burr* (New York: The Century Co., 1931); *Autour de Michel Servet et de Sébastien Castellon*, ed. B. Becker (Haarlem: H. D. Tjeenk Willink, 1953) on some key figures in the movement for religious toleration; Guido Kisch "Toleranz und Menschenwürde (Tolerance and Human Dignity)," *Miscellanea Medievalia*, 4, (Berlin: 1966) on the particular problem of toleration towards the Jews in this period; and Roland H. Bainton, *The Travail of Religious Liberty* (Hamden, Conn.: Shoestring Press, 1971).

The dean of the liberal humanists was the Dutch classicist, Desiderius Erasmus (1466–1536), whose pleas for the cessation of hostilities and the settlement of religious disputes in a civil, restrained, and peaceful manner are still moving today. All of Erasmus's work is infused with a spirit of tolerance towards his fellows and despair at human folly in waging pointless wars and in persecuting religious minorities. His best known and remembered works are *The Complaint of Peace* (La Salle, Ill.: Open Court, 1974), in which the personification of peace chastises mankind for indulging in the absurdities of constant warfare, and *Praise of Folly and Letter to Martin Dorn* (Harmondsworth: Penguin, 1973) trans. Betty Radice, in which Erasmus pokes fun at the hypocracies of his age. Roland Bainton's *Erasmus of Christendom* (London: Collins Fontana Library, 1969) is a very useful study of the life and thought of this great humanist scholar and liberal. On Erasmus's views on war and peace, see Robert P.

Adams, *The Better Part of Valor: More, Erasmus, Colet, and Peace, 1496–1535* (Seattle: University of Washington Press, 1962) and José A. Fernández, "Erasmus on the Just War," *The Journal of the History of Ideas*, 34, 1973, pp.209–26. Specifically on toleration, see Wallace K. Ferguson, "The Attitude of Erasmus toward Toleration," in *Persecution and Liberty: Essays in Honor of George Lincoln Burr* (New York: The Century Co., 1931), pp.171–81.

War is that kind of evil which, when once admitted, cannot be excluded again at will; but usually, from a little one, becomes a very great one; from a single one, multiplies into a complication; from an unbloody contest changes to carnage, and at last rises to a storm, which does not overwhelm merely one or two, and those the chief instigators to the mischief, but all the unoffending people also; confounding the innocent with the guilty. — Erasmus, The Complaint of Peace

One of the first real liberals to put his mind and pen to the pressing problem of religious toleration in an age of religious intolerance was the great English poet and radical thinker, John Milton (1608–1674). Milton lived and wrote in a period of extreme social and political upheaval. During the English Civil War he wrote three great libertarian tracts defending religious toleration and the autonomy of the individual, *Areopagitica*, *Eikonklastes*, and *A Treatise of Civil Power in Ecclesiastical Causes*. (All are included in *The Student's Milton* (New York: F. S. Crofts and Co., 1947) ed. Frank Allen Patterson, pp. 731–53, 775–863, 863–914.) Milton argued for extreme tolerance in both the religious and secular world. The best modern treatment of Milton as a radical thinker is by the British Marxist, Christopher Hill, *Milton and the English Revolution* (New York: Penguin, 1979). The main reference work on toleration in England is W. K. Jordan, *The Development of Religious Toleration in England* (Harvard University Press, 1938).

Later in the seventeenth century, two classics of tolerationist thought were published in the religious and political haven which was the Netherlands United Provinces. The first is *Commentaire philosophique sur les paroles de Jésus-Christ 'contrains-les d'entrer'* (Philosophical Commentary on Christ's Words 'Compel them to enter') available in Elisabeth Labrousse, *Oeuvres Diverses* (Hildesheim: Georg Olms, 1964–68) 4 vols., vol. 2. The author, Pierre Bayle, convincingly refuted, in exhaustive detail, all arguments which had been put forward in defense of persecution. Bayle was unusual in that he even extends toleration to include Jews, Moslems, Catholics, and atheists, although he retained certain restrictions on the free propagation of "anti-social" ideas by Catholics and atheists in particular. The best single work on the life and thought of Pierre Bayle is available only in French; Elisabeth Labrousse, *Pierre Bayle*, vol. 1: *Du pays du foix à la cité d'Erasme*, vol. 2: *Hétérodoxe et Rigorisme* (The Hague: M. Nijhoff, 1963–64), especially chapter 18, "Tolérance ecclésiastique et tolérance civile," pp. 520–43, and chapter 19 "La liberté de conscience," pp. 544–91. There are two useful English works, Karl C. Sandberg, *At the Crossroads of Faith and Reason: An Essay on Pierre Bayle* (Tucson: University of Arizona Press, 1966), especially chapter 8, "Faith and Tolerance," pp. 68–80; and the collection by Walter Rex, *Essays on Pierre Bayle and Religious Controversy* (The Hague: M. Nijhoff, 1965). Bayle's best-known work is his *Historical and Critical Dictionary*, which is expertly introduced and edited by Richard H. Popkin (Indianapolis: Bobbs-Merrill, 1965).

The second classic published in the freedom of the Netherlands was John Locke's *Epistola de Toleratia. A Letter on Toleration*, trans J. W. Gough, introduced by R. Klibansky (Oxford: Clarendon Press, 1968). This essay is a glorious statement in defense of toleration, in spite of Locke's unfortunate qualification of tolerance in the case of atheists. It was a common view at the time that because atheists refused to take oaths, they were therefore a risk to security and social cohesiveness. Klibansky's introduction and J. W. Gough's essay, "The Development of Locke's Belief in Toleration," in *John Locke's Political Philosophy. Eight Essays by J. W. Gough* (Oxford: Clarendon Press, 1973) are good introductions to Locke's thinking on the question of tolerance.

The Dutch philosopher, Benedict Spinoza (1632–1677), should also be mentioned in connection with the idea of toleration. As a Jew and a rationalist, he was particularly aware of the problem of persecution. Like Bayle and Locke, Spinoza sought refuge in the relative security of the Netherlands, where he wrote his famous *Ethics* (1677), in which he deals with the problem of individual autonomy. The best edition is *Ethics preceded by On the Improvement of the Understanding* (New York: Hafner, 1949), ed. James Gutman.

On the importance of the Netherlands as a political refuge and as a source of tolerationist thought, see John J. Murray, "The cultural impact of the Flemish Low Countries in sixteenth- and seventeenth-century England," *American Historical Review*, 62, 1956–57, and C. Louise Thijssen-Schouten, "La diffusion européenne des idées de Bayle," in *Pierre Bayle. Le Philosophe de Rotterdam* (Paris: Librairie Vrin, 1959) ed. Paul Dibon, pp. 150–195.

[Others must recognize] the inalienable right w mankind, to profess doctrines which we believ with the truth. — Pierre Bayle, Letter IX in Oeu

In Germany, the jurist and political philosopher, Samuel von Pufendorf (1633–1694) made fundamental contributions to the natural-law defense of individual sovereignty and religious tolerance. Pufendorf built upon the work on natural law by the Dutch humanist and jurist, Hugo Grotius (*De Jure Belli ac Pacis*—On the Law of War and Peace (1625) (Washington, D.C.: Carnegie Institution, 1913–25) 2 vols.). Pufendorf's argument for the right of the individual to legal equality and liberty, presented in the 1672 work *De Jure Naturae et Gentium*—On the Law of Nature and Nations (New York: Oceana, 1964) 2 vols., was based on his theory of the dignity of men and women and their inherent sociability. Pufendorf vigorously defended the individual's freedom of conscience and the idea of tolerance in general in *De Habitu Religionis Christianae ad Vitam Civilem* (On the Attitude of the Chris-

tian Religion to the Civil Life, 1687). Useful introductions to the thought of these giants of international and natural law include Leonard Krieger, *The Politics of Discretion, Pufendorf and the Acceptance of Natural Law* (University of Chicago Press, 1965); Charles S. Edwards, *Hugo Grotius. The Miracle of Holland. A Study in Political and Legal Thought* (Chicago: Nelson Hall, 1981); and the relevant chapters of Richard Tuck, *Natural Rights Theories: Their Origin and Development* (Cambridge University Press, 1979).

These theoretical advances in defense of individual autonomy and toleration were not quickly translated into political or social reform. Mankind had to wait almost two centuries until the political successes of the Enlightenment (largely due to the intellectual activity of Voltaire and the Philosophes) for the autonomy of the individual in regard to religious matters to be even partially recognized, and then extended, to the domain of political and economic activity. The best introduction to the Philosophes' struggle for religious toleration is "Toleration: A Pragmatic Campaign" in *The Enlightenment: An Interpretation*, Volume II: *The Science of Freedom* (New York: Norton, 1977), pp. 398–407, by Peter Gay.

A brilliant and explicit attempt to push religious protestantism into the political realm (classical liberalism could perhaps be seen as a form of political protestantism) is Edmund Burke's (1729–1797) early essay, "A Vindication of Natural Society; or a View of the Miseries and Evils Arising to Mankind from every Species of Artificial Society" (1756). A modern critical edition edited by Frank N. Pagano, has just been published as *A Vindication of Natural Society*, (Indianapolis: Liberty Classics, 1982). Burke argued that deistic attacks on the privileges of the state church are, in theory, similar to the radical natural-law attack on all forms of "artificial" political society and its privileges. He further reasoned that, if it was wrong for the church to impose its monopoly of belief and worship, then it must also follow that it is wrong for the state, in any form, to impose its political monopoly of coercion. In Burke's view, all voluntary activities and associations make up what he called "natural society." Opposed to this was what he called "artificial society," which included all coercive and political institutions. These institutions (governments, monopoly state churches) were the creation of some deliberate act of power which had as its aim, the control or destruction of voluntary activity.

By sure and uncontested principles, the greatest part of the governments on earth must be concluded tyrannies, impostures, violations of the natural rights of mankind, and worse than the most disorderly anarchies.
—Edmund Burke, *Vindication of Natural Society*

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res Diverse

Scholars are not certain whether Burke's essay was a piece of youthful radicalism, or an exercise in rhetoric and satire, because the views expressed in this pamphlet are very different from Burke's later, very conservative political philosophy. In support of the view that the "Vindication" is a serious and radical document, see Isaac Kramnick, *The Rage of Edmund Burke: Portrait of an Ambivalent Conservative* (New York: Basic Books, 1978) and the article by Murray N. Rothbard, "A Note on Burke's *Vindication of Natural Society*," in *Journal of the History of Ideas*, 1958, pp. 114–18.

Perhaps the classic statement of individual autonomy can be found in the writings of the German Enlightenment philosopher, Immanuel Kant (1724–1804). We have mentioned Kant in a previous essay in the *Humane Studies Review* (vol. 1, no. 2) so we will not deal with his thought at length here, except to mention that the best statement of his views on autonomy and individual sovereignty can be found in the *Groundwork of a Metaphysic of Morals* (New York: Harper and Row, 1964) ed. H. J. Paton. A modern version of Kant's theory of autonomy has been very effectively used by the philosophers Robert Paul Wolff and Antony Flew. Wolff's short classic, *In Defense of Anarchism* (New York: Harper Colophon, 1976) is must reading. The first chapter is important, especially sections 2 and 3, "The Concept of Autonomy" and "The Conflict Between Authority and Autonomy." The English philosopher Antony Flew convincingly argues for a neo-Kantian version of personal equality based upon individual autonomy, and argues against various forms of coercive egalitarianism in "The Procrustean Ideal: Libertarians v. Egalitarians," *Encounter* 1978, vol. 1, no. 3, and in his book *The Politics of Procrustes* (London, M. Temple Smith, 1980).

As Immanuel Kant, Anthony Flew, and Robert Paul Wolff demonstrate, in order to be a truly human and social being, every individual must retain and exercise his or her moral autonomy. He or she must be left free to act according to the dictates of his or her conscience and reason. The individual may make mistakes, but these errors do not excuse the individual from responsibility. If moral autonomy is to have any meaning, each individual must assume full responsibility for *all* his or her actions.

Tolerance is crucially important in protecting the moral autonomy of the individual. In effect, tolerance creates the conditions that allow each individual the maximum number of alternatives. Furthermore, tolerance is morally necessary, if each individual is to be allowed to live a moral life. Only in choosing among alternatives can an individual attempt to achieve moral perfectibility.

In theory, moral perfection is attainable by every individual, if each makes a persistent and constant effort to choose the good and act accordingly. In practice, given the failings and weaknesses of the human spirit, such persistence will prove difficult, but it is clearly not a physical or logical impossibility. Any impediment blocking or hindering the exercise of one's free will, or preventing one from living in accordance with the "inner vision" provided by one's conscience and reason (subject, as always, to the doctrine of equal liberty), should not be countenanced. This liberal con-

cern for the unhindered pursuit of one's vision is a major element of two of the greatest statements of man's moral perfectibility: William Godwin's *Enquiry Concerning Political Justice* (Harmondsworth: Penguin, 1978), ed. Isaac Kramnick, and Condorcet's "Sketch for a Historical Picture of the Progress of the Human Mind," in *Selected Writings*, ed. Keith Michael Baker (Indianapolis: Bobbs-Merrill, 1976). Real liberals must strenuously oppose all intolerance and all coercive impediments to individual moral development. This must be done not only because diverse lifestyles and beliefs are likely to benefit all individuals in society with increased creativity and a larger choice of alternatives, but primarily because it is the morally correct thing to do.

We will continue to describe the basic principles that real liberals consider to be morally correct in further issues of the *Review*.

Crosscurrents

Women Against the State

The long-awaited anthology of individualist feminist writings, edited by the libertarian scholar and feminist Wendy McElroy, is to be published by the Cato Institute in December. In *Freedom, Feminism, and the State* McElroy shows how the individualist tradition in feminism views the state as the prime oppressor of women. The introduction to the collection is an important contribution to, and clarification of, the often confused debate on the rights of women and the source of their oppression. *Freedom, Feminism, and the State* ($5.95) can be ordered from the Cato Institute, 224 Second St. SE, Washington, D.C. 20003.

The History and Sociology of the State

A great deal has been written in the last ten years on the nature and origins of the modern nation-state. Many of these studies are creative combinations of economic and political history and sociology; a combination which can provide penetrating insights into the development of state institutions. We intend publishing a bibliographical essay on the state in the near future. In the meantime, we will briefly mention several important recent contributions.

Max Weber has provided the stimulus for a great deal of interesting material on the state and bureaucratic organization. One such study in the Weberian tradition is *Kings or People: Power and the Mandate to Rule* (University of California Press, Berkeley, 1980) by Reinhard Bendix. This is a comparative study of the origins of the modern state, in particular, the origins of the Russian, Japanese, and the major Western European states of England, France, and Germany.

Perry Anderson, the editor of the English Marxist journal, the *New Left Review*, has written an amazingly detailed and comprehensive history of the origins of the absolutist state. *Lineages of the Absolutist State* (London: New Left Books, 1975) is a pathbreaking work in spite of Anderson's Marxist perspective. A shorter and more traditional account is J. H. Shennan, *The Origins of the Modern European State 1450–1725* (London: Hutchinson, 1974).

Charles Tilly has edited a collection of essays on *The Formation of National States in Western Europe* (Princeton University Press, 1975). The essays are not all as useful as Tilly's introductory piece on "Reflections on the History of European Statemaking," but they survey an incredible amount of material and provide a very useful bibliography for further work.

The great German historian, Otto Hintze, spent an entire lifetime writing on the development of the Prussian bureaucracy and state. In his later years he was influenced by the sociology of Herbert Spencer, Max Weber, and Franz Oppenheimer, and he turned to writing on more philosophical and sociological topics. His essays, "The Formation of States and Constitutional Development: A Study in History and Politics"

All state organization was originally military organization, organization for war. —Otto Hintze, "Military Organization and State Organization," in The Historical Essays of Otto Hintze

and "Military Organization and the Organization of the State" (in which he shows his debt to Spencer) are extremely thought-provoking. They can be found in the collection edited by Felix Gilbert, *The Historical Essays of Otto Hintze* (New York: Oxford University Press, 1975).

For those who want a short overview of recent sociological theories of the state a good place to begin is Gianfranco Poggi, *The Development of the Modern State: A Sociological Introduction* (Stanford University Press, 1978). Poggi's book is very useful as a guide to recent European literature on the state.

A more recent discussion of the development of the idea of the state since the fifteenth century is Kenneth H. F. Dyson, *The State Tradition in Western Europe: A Study of an Idea and Institution* (Oxford: Martin Robertson, 1980). Dyson gives an excellent history of the idea of the state, what intellectuals and philosophers have meant by this concept, and how they have used it to explain and justify the relations of power in their respective societies. Dyson's problem is that he is aware of the present crisis in the idea of the state following the wars and instabilities of the last century, but he is uncertain whether abandoning the idea of the state or simply a "redefinition" is in order.

For those who are interested in gleaning what they can from Marxist interpretations of the state, Bob Jessup's *The Capitalist State: Marxist Theories and Methods* (New York University Press, 1982) provides a good summary of the literature. He concentrates on East German writers and the influential Marxist theorist of the state, Nicos Poulantzas. Only recommended to those who have some familiarity with Marxist writings because of the heavy doses of jargon.

Not only have the Austrians made great contributions to the study of economics, science, and art, but they have also been innovators in the sociological analysis of the state. One of the earliest Austrian researchers was Ludwig Gumplowicz, whose *Outlines of Sociology*, ed. Irving Louis Horowitz (New Brunswick, New Jersey: Transaction Books, 1980) has been very influential. In this volume Gumplowicz presents his theory that the state had its origins in the conquest of one racial group by another (true in certain respects of the Austro-Hungarian empire at the time when he was writing). Gumplowicz's best known follower was Franz Oppenheimer, only one of whose books is available in English, *The State*, trans. John Gitterman (New York: Life Editions, 1975). Oppenheimer expanded this slim essay into his magnum opus. For those who can brave the tough German prose, it has been reprinted, *System der Soziologie* vol.2, *Der Staat*, 2nd edition (Stuttgart: Gustave Fischer Verlag, 1964).

Oppenheimer's class theory was applied to the analysis of American history and institutions by Albert Jay Nock, in *Our Enemy the State* ed. by Walter E. Grinder (New York: Free Life Editions, 1973). This edition has Grinder's excellent introductory and bibliographical essays on American history and class analysis. The essays describe the origins of Nock's thought, and show how modern scholarship has confirmed and extended Nock's penetrating insights into the nature of the state in general and the American state in particular.

To kill a man is not to defend a doctrine. It is to kill a man . . . Doctrine is not the affair of the magistrate, but of the doctor. What has the sword to do with doctrine? —Sebastian Castellio, Contra Libellum Calvini

There are two systematic overviews of the growth of state power. Both are vital for developing a libertarian theory of historical change, and for gaining insight into the direction in which the modern world has been steadily moving. The left-wing anarchist, Rudolf Rocker, was able to smuggle out of Nazi Germany a masterful analysis of the history of the modern state. *Nationalism and Culture* has been republished by Michael E. Coughlin (Stillwater, Minnesota: Coixside Press, 1978). The other great interpretative history of European society from the very libertarian perspective of the neverending struggle between freedom and domination is Alexander Rüstow's aptly named *Freedom and Domination: A Historical Critique of Civilization* (Princeton University Press, 1980). Rüstow brilliantly combines classical liberal political philosophy and the kind of class analysis we have been describing here. It is to be hoped that the next generation of liberal scholars will be able to continue where Rüstow, Oppenheimer, and Nock left off.

Liberty Fund and C. V. Starr Center for Applied Economics 1983 Summer Seminar

A research seminar on applications of Austrian Economic theory will be held in New York City beginning late Sunday afternoon, August 7th, and ending Thursday afternoon, August 11th. The seminar is for faculty members in economics and is sponsored by the Liberty Fund and the C. V. Starr Center for Applied Economics.

The seminar will feature discussions and formal comments on original papers by up to twelve participants led by the following economists:

Roger W. Garrison (Auburn University); Israel M. Kirzner (New York University); Gerald P. O'Driscoll, Jr. (Federal Reserve Bank of Dallas); and Mario J. Rizzo (New York University).

Professor Rizzo will direct the program and arrange the logistical details. Although all applied topics are welcome, the following areas are especially encouraged: Economic Analysis of Law, Economics of Expectations, Industrial Organization, and Monetary Economics.

Up to twelve faculty members in economics who have written or are willing to write a twenty-five to fifty-page paper on applied Austrian Eonomics will be chosen to participate. The overall purpose of the seminar is to encourage such research and subject it to intensive peer criticism.

Each applicant should send a *curriculum vitae*, an outline of the proposed paper (3–5 pages), or the paper itself (if already completed) to Professor Mario Rizzo at the C. V. Starr Center, 269 Mercer Street, New York, NY 10003, telephone (212) 598-7891. The deadline for applications is *February 1, 1983*. Applicants will be notified by March 1st. Completed papers must be received no later than June 24, 1983.

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